

REMARKS

Claims 7-9 and 17-20 are pending in the present application.

This Amendment is in response to the Office Action mailed September 28, 2006. In the Office Action, the Examiner rejected claims 7-9 and 17 under 35 U.S.C. § 103(a).

Applicant has amended claims 7, 8, and added claims 18-20. Applicant submits that the newly added claims introduce no new matter. Reconsideration in light of the amendments and remarks made herein is respectfully requested.

I. REJECTIONS UNDER 35 U.S.C. § 103

The Examiner rejected claims 7-9 and 17 under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 4,513,203 issued to Bohlen et al. ("Bohlen") in view of U.S. Patent No. 4,912,313 issued to Inventor Kato et al. ("Kato"). Applicant respectfully traverses the rejection for the following reasons.

Bohlen discloses that a desired mask pattern is generated in the photoresist layer 49 by means of an electron beam scanner... After development of the photoresist, the mask pattern is again etched into the SiO₂ layer 47 by plasma etching. Unlike the present invention, Bohlen does not disclose that the film has a thickness of 100 nm or more.

Kato discloses a value k that is obtained from a correction sample formed of a 7 micron-diameter latex resin ball coated with gold to prevent electrification. No where in Kato is there disclosure of a film having a thickness of 100 nm or more.

Bohlen and Kato, taken alone or in any combination, do not disclose, suggest, or render obvious a film having a thickness of 100 nm or more. This



aspect of the invention is supported in the specification on page 12 (lines 1-2) and is recited in amended claim 7.

Therefore, Applicant believes that independent claims 7 and their respective dependent claims are distinguishable over the cited prior art references. Accordingly, Applicant respectfully requests the rejections under 35 U.S.C. § 103(a) be withdrawn.

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USSN: 10/679,416

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Art Unit: 2881


CONCLUSION

In view of the amendments and remarks made above, it is respectfully submitted that the pending claims are in condition for allowance, and such action is respectfully solicited. If it is believed that a telephone conversation would expedite the prosecution of the present application, or clarify matters with regard to its allowance, the Examiner is invited to contact the undersigned attorney at the number listed below.

The Commissioner is hereby authorized to charge payment of any required fees associated with this Communication or credit any overpayment to Deposit Account No. 04-1175.

Respectfully submitted,
DISCOVISION ASSOCIATES

Dated: 02/28/07



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